

**STORY COUNTY  
PLANNING AND DEVELOPMENT  
STORY COUNTY ADMINISTRATION  
900 6<sup>TH</sup> STREET  
NEVADA, IOWA 50201-2087**



*"Commitment, Vision, Balance"*

**515-382-7245**

**MINUTES  
STORY COUNTY  
BOARD OF ADJUSTMENT**

**AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING [WWW.STORYCOUNTYIOWA.GOV](http://WWW.STORYCOUNTYIOWA.GOV)**

<b>DATE:</b> January 15, 2020	Steve McGill, Chair	2022
	*Randy Brekke, Vice Chair	2020
	Kelly Winfrey	2024
<b>CALL TO ORDER:</b> 4:00 PM	Matthew Neubauer	2021
<b>PLACE:</b> Public Meeting Room Administration Building	Wendie Schneider	2023

**PUBLIC PRESENT:**

**STAFF PRESENT:** Jerry Moore, Planning and Development Director; Marcus Amman, Planner; Stephanie Jones, Recording Secretary

**ROLL CALL:** McGill, Winfrey, Neubauer, Schneider

**ABSENT:** Brekke

**APPROVAL OF AGENDA (MCU)**

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**APPROVAL OF MINUTES**

**Motion by Schneider, Second by Neubauer to approve the December 18, 2019 minutes with the deletion of the words "in the event of leak" before slurry to be tested, from the CUP02-90.6 Martin Marietta motion. (MCU)**

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**APPROVAL OF FINDINGS OF FACT From December 18, 2019  
Meeting Motion by Schneider, Second by Neubauer (MCU)**

Written Findings of Fact VAR05-19 Craig  
Written Findings of Fact CUP10-19 Story County Conservation

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**PUBLIC COMMENTS:** None

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**HEARINGS:**

**CUP11-19 Story County Animal Control**

Marcus Amman presented the staff report and stated that the Story County Animal Control Department is proposing to construct a 25'x30' 750 square foot short term livestock control

building to provide a replacement for the current structure that is in disrepair and cannot contain livestock effectively. It is anticipated that the proposed structure will be used 3-6 times a year and will allow Animal Control employees to contain livestock that are either strays or owner released.

Schneider stated that she previously read that alligators have been kept at the shelter and she wondered where an alligator had come from in this area. Amman stated that Sue McCaskey did state at the Planning and Zoning Commission meeting that an alligator had been cared for in the past and moved to a zoo.

1. **MOTION: The Story County Board of Adjustment recommends approval of the Conditional Use Permit for the Story County Animal Control Livestock Control Structure as put forth in case CUP11-19, as submitted.**

**Motion: Neubauer**

**Second: Schneider**

**Ayes: Neubauer, Schneider, Winfrey, McGill**

**Nays: None**

**Not Voting: None**

**Absent: Brekke**

**Vote: (4-0)**

#### **CUP12-19 And VAR06-19 Ballard Golf And Country Club**

Marcus Amman presented the staff report and stated that Ballard Golf and Country Club is applying for a Conditional Use Permit to bring the existing use and related associated structures into conformance with the existing ordinance and to expand their existing use. Ballard Golf and Country Club is proposing to erect a 40'x40' maintenance shop for the golf course and country club. The proposed accessory structure would serve as the new heated shop, an office area to house the irrigation computer, potentially a bathroom, and equipment storage. Amman provided information regarding the buildings that had been previously constructed without obtaining permits and that since there were no permits a variance would be required.

McGill asked for clarification about why a CUP is being asked for at this time and if the CUP would bring them into compliance. Moore stated a zoning permit was issued in 1974 for the clubhouse, course, and improvements made to the pond. In 1977, requirements changed requiring a CUP so now a zoning permit cannot be issued without a CUP to bring into conformity.

**MOTION: The Story County Board of Adjustment recommends approval of the Conditional Use Permit for the Ballard Golf and Country Club, associated structures, and proposed maintenance shop as put forth in case CUP12-19, with the following conditions:**

1. **The applicant shall obtain zoning permits for all existing structures, excluding the clubhouse, within 30 days of Board of Adjustment action.**
2. **Support of the Conditional Use Permit includes the Board of Adjustment taking action on the submitted variance 06-19 for the existing structures located in the southwest area of the property.**
3. **Direct illumination of the business sign must be discontinued.**

**Motion: Neubauer**  
**Second: Schneider**  
**Ayes: Neubauer, Schneider, Winfrey, McGill**  
**Nays: None**  
**Not Voting: None**  
**Absent: Brekke**  
**Vote: (4-0)**

Amman presented the variance portion of the Ballard Golf and Country Club request. Amman stated that the Variance is needed to meet the minimum side setback for an existing accessory structure located in the A-1 District for other permitted uses, which establishes a minimum side setback of 50 feet. The variance request is to permit the existing 24'x35' (840 square feet) and 23'x33' (783 square feet) accessory structures that encroach on the side setback requiring a variance of 26 feet from 50 feet to 24 feet, from the closest point of the proposed building to the south property line. The existing accessory structures were built as part of the Ballard Golf and Country Club in 1975 but were never issued zoning permits.

Neubauer asked what year golf courses were removed from A-1 zoning. Amman stated golf courses were removed in 1977 as permitted uses in the A-1 District. Neubauer also asked if setbacks were changed from 10 to 50 feet. Moore stated that 50 feet is the current set back standard. Amman stated that at the time the building was constructed, the setbacks were met, but a permit had not been obtained.

Schneider asked why golf courses were removed as permitted uses in the A-1 District. Moore stated it was changed to a CUP process to allow for a more thorough review process involving County staff and input from the general public because of potential impacts of the golf course and club house uses on the site and neighborhood.

**MOTION: The Story County Board of Adjustment approves the Ballard Golf and Country Club Side Setback variance request as put forth in case VAR06-19, for a variance to allow the proposed accessory structure to have a side setback of 24 feet in the A-1 District with the following conditions:**

- 1. Permits for the two accessory structures must be obtained within 30 days of the Board of Adjustment action.**
- 2. Business sign lighting must be discontinued**

**Motion: Neubauer**  
**Second: Schneider**  
**Ayes: Neubauer, Schneider, McGill, Winfrey**  
**Nays: None**  
**Not Voting: None**  
**Absent: Brekke**  
**Vote: (4-0)**

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**BOARD/STAFF COMMENTS:**

**Staff:** Moore stated that the Martin Marietta CUP that was deferred last month should be back at the February meeting. Moore provided updates on Citizenserve progress and the LESA referencing the information about the process that's on the website.

**Board:** Introductions were made by board members and each provided their background information.

**ADJOURNMENT: 4:50 PM**

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**Approval of Minutes**

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**Title and Date**